

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Trademark: S.W.A.T.
Reg. No.: 3,172,010
Reg. Date: November 14, 2006

TTAB
78278757

Swatch AG

Petitioner,

v.

Slodowitz, Motti M.

Registrant.

Cancellation No. 92046820

ANSWER TO PETITION TO CANCEL

Registrant, Motti M. Slodowitz ("Registrant"), by and through its undersigned attorneys of record, answers the Petition for Cancellation as follows:

1. In answering Paragraph 1 of the Petition to Cancel, Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

2. In answering Paragraph 2 of the Petition to Cancel, Registrant states that documents purporting to be photocopies of U.S. trademark registration information are attached, but Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

3. In answering Paragraph 3 of the Petition to Cancel, Registrant states that documents purporting to be photocopies of U.S. trademark registration information are attached, but Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

4. In answering Paragraph 4 of the Petition to Cancel, Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

5. In answering Paragraph 5 of the Petition to Cancel, Registrant admits same.

6. In answering Paragraph 6 of the Petition to Cancel, Registrant admits same.

7. In answering Paragraph 7 of the Petition to Cancel, Registrant denies same.

8. In answering Paragraph 8 of the Petition to Cancel, Registrant denies same.

9. In answering Paragraph 9 of the Petition to Cancel, Registrant denies same.

10. In answering Paragraph 10 of the Petition to Cancel, Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

11. In answering Paragraph 11 of the Petition to Cancel, Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

12. In answering Paragraph 12 of the Petition to Cancel, Registrant denies same.

13. In answering Paragraph 13 of the Petition to Cancel, Registrant denies same.

14. In answering Paragraph 14 of the Petition to Cancel, Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

15. In answering Paragraph 15 of the Petition to Cancel, Registrant denies same.

16. In answering Paragraph 16 of the Petition to Cancel, Registrant is without sufficient information or knowledge to form a belief about the truthfulness of the allegations contained therein, thus denying same.

17. In answering Paragraph 17 of the Petition to Cancel, Registrant denies same.

18. In answering Paragraph 18 of the Petition to Cancel, Registrant denies same.

AFFIRMATIVE DEFENSES

In further answer to the Petition to Cancel without waiver of any objection or an admission of sufficiency of the Petition to Cancel, Registrant asserts upon information and belief that:

1. Petitioner's Petition to Cancel fails to state a claim upon which relief can be granted, and in particular, fails to state legally sufficient grounds for sustaining the petition.

2. Registrant's use of its mark is not mistakenly thought by the public to derive from the same source as Petitioner's goods, nor will such use be thought by the public to be a

use by Petitioner or with Petitioner's authorization or approval.

3. Registrant's mark in its entirety is sufficiently distinctively different from Petitioner's mark to avoid confusion, deception or mistake as to the source or sponsorship or association of Registrant's goods.

4. Registrant's mark, when used on Registrant's goods, is not likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection or association of Registrant with Petitioner, or as to the origin, sponsorship, or approval of Registrant's goods by Petitioner.

RELIEF REQUESTED

WHEREFORE, Registrant respectfully requests that (a) this cancellation proceeding be dismissed, with prejudice and that the Registrant's registration remain in force.

Respectfully submitted,

MOTTI M. SLODOWITZ

Dated: January 24, 2007

By: _____




Dax Alvarez

Attorney for Registrant

CERTIFICATE OF MAILING:

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop TTAB - NO FEE, P.O. Box 1451, Alexandria, Virginia 22313-1451 on January 24, 2007.



Marie Monsod

January 24, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing

ANSWER TO PETITION TO CANCEL

was served on counsel for Petitioner by U.S. first class, postage prepaid mail, addressed as follows:

Jess M. Collen
Collen IP
The Holyoke-Manhattan Building
80 South Highland Avenue
Ossining, New York 10562

Executed this 24th day of January, 2007 at Los Angeles, California.

By: Marie Monsod
Marie Monsod